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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

CENTER FOR BIOLOGICAL DIVERSITY;  
CASCADIA WILDLANDS; NATIVE FISH  
SOCIETY,

Plaintiffs,

v.

CAL MUKUMOTO, KATHERINE  
SKINNER, MICHAEL CAFFERATA, and  
DANIEL GOODY, in their official capacities,

Defendants,

and

OREGON FOREST INDUSTRIES COUNCIL  
and TILLAMOOK COUNTY,

Defendant-Intervenors.

Case No. 3:18-cv-01035-MO

JOINT MOTION TO EXTEND DEADLINES

Pursuant to Local Rule 16-3, the Parties jointly move for an extension of the current discovery deadlines set forth in this Court's order dated April 13, 2022.

This motion is supported by good cause, including scheduling difficulties encountered by the Parties in scheduling the depositions of Plaintiffs' expert witnesses. Defendants and Defendant Intervenors have been attempting to schedule the depositions of Plaintiffs' experts since the beginning of June. Counsel for Defendants originally requested availability for Plaintiffs' experts the weeks of July 18 and July 25. However, Plaintiffs' experts had made various travel and trial commitments which made those dates unworkable. Plaintiffs' experts had limited availability in August as well. For example, due to other commitments made after the Court's April 13, 2022 Order but prior to the beginning of June, when the Defendants and Defendant-Intervenors began inquiring as to their availability, Dr. Burnett was available on 5 days during the month of August, Dr. Roering was available for 4 days of the month, and Dr. Quinn was available for three days of the month – two of which were weekends. While Plaintiffs' experts provided multiple dates of their availability in July, those dates were unworkable for some of the Parties' counsel. Similarly, counsel for one or more of the Parties had conflicts on all the dates Plaintiffs' experts were available during August, and it was necessary to find dates in September and October for the depositions.

The Parties have succeeded in finding workable dates for Plaintiffs' experts' depositions in the end of August, throughout September, and into October. The last of Plaintiffs' experts will be deposed on October 13, over six weeks after the current deadline for submittal of rebuttal expert reports. Defendants' and Defendant-Intervenors' experts need the deposition testimony of Plaintiffs' experts in order to prepare thorough and accurate rebuttals. The Parties believe that five weeks from the last deposition is sufficient time for transcripts to be obtained, errata sheets (if any) submitted, and the testimony examined by the rebuttal witnesses. As a result, the Parties propose the following extension of deadlines:

	Current Deadline	Proposed Deadline
Defendants to serve rebuttal expert reports	August 29, 2022	November 18, 2022
Deadline for expert discovery	October 28, 2022	February 24, 2023
Deadline for Plaintiffs to serve optional surrebuttal reports, if granted leave from the Court	October 28, 2022	February 24, 2023
Deadline for non-expert discovery	December 2, 2022	March 24, 2023

Because the deposition testimony of Plaintiffs' experts will be necessary for Defendants' and Defendant-Intervenors' expert witnesses to complete their rebuttal reports, and the Parties have attempted unsuccessfully to find other dates where no counsel or witness had conflicts, the Parties jointly request the Court grant their motion to extend the deadlines as set forth above.

DATED August 22, 2022.

Respectfully submitted,

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s/ Deanna J. Chang

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